

**STATE BOARD OF COSMETOLOGY AND BARBER EXAMINERS**  
**Monday September 17, 2018**  
**Indiana Government Center-South, Room W064**  
**402 West Washington Street**  
**Indianapolis, Indiana**

**COMMITTEE MEETINGS**

**10:00 a.m.**

**CALL TO ORDER & ESTABLISHMENT OF QUORUM**

D. Weisheit called the meeting to order at 1:00 p.m. and established a quorum pursuant to public notice posted at the principal office of the board at least forty-eight (48) hours before the time of the meeting

**Board Members Present:**

Diane Weisheit, President  
Diana Bonn  
Victoria Ross  
Gary Odell  
Gregory Kenny

**State Officials Present:**

Tracy Hicks, Board Director, Indiana Professional Licensing Agency  
Shawwna Ajeigbe, Assistant Director, Indiana Professional Licensing Agency  
Jodi Stein, Board Advisory Counsel, Office of the Attorney General

**ADOPTION OF THE AGENDA**

A motion was made and seconded to adopt the agenda as amended.

V. Ross/G. O'Dell  
5/0/0

Motion carried.

Voting in favor: Diana Weisheit, Victoria Ross, Diana Bonn, Gregory Kenny, and Gary Odell.

**ADOPTION OF THE MINUTES FROM THE JULY 16, 2018 MEETINGS OF THE STATE BOARD OF COSMETOLOGY AND BARBER EXAMINERS**

A motion was made and seconded to approve the minutes of the July 16, 2018 meeting.

V. Ross/G. O'Dell  
5/0/0

Motion carried.

Voting in favor: Diana Weisheit, Victoria Ross, Diana Bonn, Gregory Kenny, and Gary Odell.

**OLD/NEW BUSINESS**

**A. Office of the Attorney General Consumer Protection Division Report**

Written report provided.

**B. Administrative Hearings;**

1. Administrative Hearing: Danh Le, MA20100874 & Main Street Nails, MS31200081, 2018SBCBE0064

a) A motion was made and seconded to find Respondents in Default.

D. Bonn/G. O'Dell

5/0/0

Motion carried.

Voting in favor: Diana Weisheit, Victoria Ross, Diana Bonn, Gregory Kenny, and Gary Odell.

b) A motion was made and seconded that the state has proven the case against Danh Le, MA20100874, with one violation.

D. Bonn/G. O'Dell

5/0/0

Motion carried.

Voting in favor: Diana Weisheit, Victoria Ross, Diana Bonn, Gregory Kenny, and Gary Odell.

c) A motion was made and seconded to revoke the license and impose a fine of \$1000 payable within one year, impose the costs of proceedings, and impose the \$5.00 fee to the health records and personal identifying information protection trust fund in the matter of Danh Le, MA20100874.

V. Ross/D. Bonn

5/0/0

Motion carried.

Voting in favor: Diana Weisheit, Victoria Ross, Diana Bonn, Gregory Kenny, and Gary Odell.

d) A motion was made and seconded that the state has proven the case against Main Street Nails, MS31200081, with 8 violation.

D. Bonn/V. Ross

5/0/0

Motion carried.

Voting in favor: Diana Weisheit, Victoria Ross, Diana Bonn, Gregory Kenny, and Gary Odell.

e) A motion was made and seconded to revoke the license and impose a fine of \$1000 for each of the eight violations for a total of \$8000 payable within one year, impose the costs of proceedings, and impose the \$5.00 fee to the health records and personal identifying information protection trust fund in the matter of Main Street Nails, MS31200081.

D. Bonn/ V. Ross

5/0/0

Motion carried.

Voting in favor: Diana Weisheit, Victoria Ross, Diana Bonn, Gregory Kenny, and Gary Odell.

2. Administrative Hearing to Remove Probation: Darsey R. Naville, ES21100144, 2011SBCBE0046

A motion was made and seconded to remove the probation status.

V. Ross/G. O'Dell

5/0/0

Motion carried.

Voting in favor: Diana Weisheit, Victoria Ross, Diana Bonn, Gregory Kenny, and Gary Odell.

3. Administrative Hearing to Remove Probation: Charity A. Carmien, 2015SBCBE0098

A motion was made and seconded to remove the probation status.

G. Kenny/V. Ross

5/0/0

Motion carried.

Voting in favor: Diana Weisheit, Victoria Ross, Diana Bonn, Gregory Kenny, and Gary Odell.

4. Administrative Hearing to Remove Probation: Sa'Prina Shen'a Ashburn, BC21700575, 2017SBCBE0060

A motion was made and seconded to remove probation status.

G. O'Dell/G. Kenny

5/0/0

Motion carried.

Voting in favor: Diana Weisheit, Victoria Ross, Diana Bonn, Gregory Kenny, and Gary Odell.

5. Administrative Hearing to Remove Probation: Flo & Son Salon, BS91700429, 2017SBCBE0076

A motion was made and seconded to issue a notice of proposed dismissal.

D. Bonn/G. O'Dell

5/0/0

Motion carried.

Voting in favor: Diana Weisheit, Victoria Ross, Diana Bonn, Gregory Kenny, and Gary Odell.

6. Administrative Hearing to Remove Probation: Antail D. Dennis, CI21800022, 2018SBCBE0060

A motion was made and seconded to issue a notice of proposed dismissal.

D. Bonn/G. O'Dell

Motion carried.

Voting in favor: Diana Weisheit, Victoria Ross, Diana Bonn, Gregory Kenny, and Gary Odell.

**C. Personal Appearance and Consideration of Application for License Renewal**

1. Richard Cox, BA00174463

A motion was made and seconded to renew the license on indefinite probation with no right to petition for removal until the criminal matter is complete.

D. Bonn/G. O'Dell

4/0/0

Motion carried.

Voting in favor: Diana Weisheit, Victoria Ross, Diana Bonn, and Gary Odell.

2. Roman Crockett, BC21100121

A motion was made and seconded to renew the license on indefinite probation with no right to petition for removal until the criminal matter is complete.

D. Bonn/G. O'Dell

4/0/0

Motion carried.

Voting in favor: Diana Weisheit, Victoria Ross, Diana Bonn, and Gary Odell.

3. Amy L. Dodds, BC21100167

A motion was made and seconded to suspend the license for a period of thirty (30) days then renew the license on indefinite probation with no right to petition for removal until the criminal matter is complete.

V. Ross/G. O'Dell

5/0/0

Motion carried.

Voting in favor: Diana Weisheit, Victoria Ross, Diana Bonn, Gregory Kenny, and Gary Odell.

4. Sydney A. Edwards, ES21500116

A motion was made and seconded to deny renewal for failure to appear.

D. Bonn/V. Ross

5/0/0

Motion carried.

Voting in favor: Diana Weisheit, Victoria Ross, Diana Bonn, Gregory Kenny, and Gary Odell.

5. Ashley M. Frazier, BC21401600

A motion was made and seconded to renew the license on indefinite probation with no right to petition for removal until the criminal matter is complete.

D. Bonn/V. Ross

5/0/0

Motion carried.

Voting in favor: Diana Weisheit, Victoria Ross, Diana Bonn, Gregory Kenny, and Gary Odell.

6. Tonia S. Hendrix, BC02115942

A motion was made and seconded to approve renewal.

V. Ross/G. O'Dell

5/0/0

Motion carried.

Voting in favor: Diana Weisheit, Victoria Ross, Diana Bonn, Gregory Kenny, and Gary Odell.

7. Charles Hobbs, BA11500046

A motion was made and seconded to deny renewal for failure to appear.

D. Bonn/V. Ross

5/0/0

Motion carried.

Voting in favor: Diana Weisheit, Victoria Ross, Diana Bonn, Gregory Kenny, and Gary Odell.

8. Sara Hosfield, BC21500183

A motion was made and seconded to renew the license on indefinite probation with no right to petition for removal until the criminal matter is complete.

D. Bonn/V. Ross

5/0/0

Motion carried.

Voting in favor: Diana Weisheit, Victoria Ross, Diana Bonn, Gregory Kenny, and Gary Odell.

9. Sarah C. Hupp, BC21500814

A motion was made and seconded to renew the license on indefinite probation with no right to petition for removal until the criminal matter is complete.

D. Bonn/V. Ross

5/0/0

Motion carried.

Voting in favor: Diana Weisheit, Victoria Ross, Diana Bonn, Gregory Kenny, and Gary Odell.

10. Bethany A. Kemper, BC21500535

A motion was made and seconded to renew the license on indefinite probation with no right to petition for removal until the criminal matter is complete.

D. Bonn/G. O'Dell

5/0/0

Motion carried.

Voting in favor: Diana Weisheit, Victoria Ross, Diana Bonn, Gregory Kenny, and Gary Odell.

11. Jill E. Kleinpeter, BC20601629

A motion was made and seconded to deny renewal for failure to appear.

D. Bonn/V. Ross

5/0/0

Motion carried.

Voting in favor: Diana Weisheit, Victoria Ross, Diana Bonn, Gregory Kenny, and Gary Odell.

12. Michelle L. Lee, BC20601708

A motion was made and seconded to deny renewal for failure to appear.

D. Bonn/V. Ross

5/0/0

Motion carried.

Voting in favor: Diana Weisheit, Victoria Ross, Diana Bonn, Gregory Kenny, and Gary Odell.

13. Kim E. Little, BC02270099

A motion was made and seconded to approve the renewal.

V. Ross/G. O'Dell

5/0/0

Motion carried.

Voting in favor: Diana Weisheit, Victoria Ross, Diana Bonn, Gregory Kenny, and Gary Odell.

14. Emily R. Miller, BC21501074

A motion was made and seconded to renew the license on indefinite probation with no right to petition for removal until the criminal matter is complete.

D. Bonn/G. O'Dell

5/0/0

Motion carried.

Voting in favor: Diana Weisheit, Victoria Ross, Diana Bonn, Gregory Kenny, and Gary Odell.

15. Catherine L. Peterson, BC20602815

A motion was made and seconded to renew the license.

V. Ross/D. Bonn

5/0/0

Motion carried.

Voting in favor: Diana Weisheit, Victoria Ross, Diana Bonn, Gregory Kenny, and Gary Odell.

16. Tina Sebastian, BC21012658

A motion was made and seconded to renew the license on indefinite probation with no right to petition for removal until the criminal matter is complete.

V. Ross/D. Bonn

5/0/0

Motion carried.

Voting in favor: Diana Weisheit, Victoria Ross, Diana Bonn, Gregory Kenny, and Gary Odell.

17. Ashley R. Slone, BC21100324

A motion was made and seconded to renew the license.

D. Bonn/V. Ross

5/0/0

Motion carried.

Voting in favor: Diana Weisheit, Victoria Ross, Diana Bonn, Gregory Kenny, and Gary Odell.

18. Gregory D. Smith, BC21012286

A motion was made and seconded to renew the license.

D. Bonn/G. O'Dell

5/0/0

Motion carried.

Voting in favor: Diana Weisheit, Victoria Ross, Diana Bonn, Gregory Kenny, and Gary Odell.

19. Jennifer N. Spitz, BC20807407

A motion was made and seconded to deny renewal for failure to appear.

D. Bonn/V. Ross

5/0/0

Motion carried.

Voting in favor: Diana Weisheit, Victoria Ross, Diana Bonn, Gregory Kenny, and Gary Odell.

20. Harradon Waddell, BC21012602

A motion was made and seconded to deny renewal for failure to appear.

V. Ross/O'Dell

5/0/0

Motion carried.

Voting in favor: Diana Weisheit, Victoria Ross, Diana Bonn, Gregory Kenny, and Gary Odell.

21. Sethan E. Wilder, BA11500059

A motion was made and seconded to renew the license on indefinite probation with no right to petition for removal until the criminal matter is complete.

V. Ross/G. O'Dell

5/0/0

Motion carried.

Voting in favor: Diana Weisheit, Victoria Ross, Diana Bonn, Gregory Kenny, and Gary Odell.

22. Megan N. Wyland, BC20402041

A motion was made and seconded to deny renewal for failure to appear.

D. Bonn/V. Ross

5/0/0

Motion carried.

Voting in favor: Diana Weisheit, Victoria Ross, Diana Bonn, Gregory Kenny, and Gary Odell.

#### **D. Personal Appearance and Consideration of Application for License Reinstatement**

1. James E. Brown, III, BA11400136

A motion was made and seconded to suspend the license for a period of six (6) months then renew the license on indefinite probation with no right to petition for removal until the criminal matter is complete.

V. Ross/G. O'Dell

5/0/0

Motion carried.

Voting in favor: Diana Weisheit, Victoria Ross, Diana Bonn, Gregory Kenny, and Gary Odell.

2. Ji-Hyun Casey, BC20602742

A motion was made and seconded to renew the license on indefinite probation with no right to petition for removal until the criminal matter is complete.

V. Ross/O'Dell

5/0/0

Motion carried.

Voting in favor: Diana Weisheit, Victoria Ross, Diana Bonn, Gregory Kenny, and Gary Odell.

3. William L. Moore, BA11200001

A motion was made and seconded to renew the license on indefinite probation with no right to petition for removal until the criminal matter is complete.

V. Ross/O'Dell

5/0/0

Motion carried.

Voting in favor: Diana Weisheit, Victoria Ross, Diana Bonn, Gregory Kenny, and Gary Odell.

4. April M. Murphy, BC21500603

A motion was made and seconded to deny reinstatement for failure to appear.

V. Ross/O'Dell

5/0/0

Motion carried.

Voting in favor: Diana Weisheit, Victoria Ross, Diana Bonn, Gregory Kenny, and Gary Odell.

5. Aaron Strug, BC21500474

A motion was made and seconded to renew the license on indefinite probation with no right to petition for removal until the criminal matter is complete.

V. Ross/O'Dell

5/0/0

Motion carried.

Voting in favor: Diana Weisheit, Victoria Ross, Diana Bonn, Gregory Kenny, and Gary Odell.

6. Joshua R. White, BC20501922

A motion was made and seconded to deny reinstatement for failure to appear.

V. Ross/O'Dell

5/0/0

Motion carried.

Voting in favor: Diana Weisheit, Victoria Ross, Diana Bonn, Gregory Kenny, and Gary Odell.

7. Tamie Brenton, BC21401605

A motion was made and seconded to renew the license on indefinite probation with no right to petition for removal until the criminal matter is complete.

V. Ross/G. Kenny

5/0/0

Motion carried.

Voting in favor: Diana Weisheit, Victoria Ross, Diana Bonn, Gregory Kenny, and Gary Odell.

#### **E. HEA 1245 Rulemaking**

A motion was made and seconded to incorporate the following list of disqualifying crimes by reference:

V. Ross/G. O'Dell

5/0/0

Motion carried.

Voting in favor: Diana Weisheit, Victoria Ross, Diana Bonn, Gregory Kenny, and Gary Odell.

1. Crimes involving sexual acts that can be considered without respect to age of conviction:
  - A. Child molesting (IC 35-42-4-3).
  - B. Child seduction (IC 35-42-4-7).
  - C. Criminal deviate conduct (IC 35-42-4-2) (before its repeal).
  - D. Incest (IC 35-46-1-3).
  - E. Making an unlawful proposition (IC 35-45-4-3).
  - F. Prostitution (IC 35-45-4-2).
  - G. Rape (IC 35-42-4-1).
  - H. Sexual misconduct with a minor (IC 35-42-4-9(a)).
2. Crimes of violence that can be considered without respect to age of conviction:
  - A. Aggravated battery (IC 35-42-2-1.5).
  - B. Attempted murder (IC 35-41-5-1).

- C. Burglary as a Level 1 felony, Level 2 felony, Level 3 felony, or Level 4 felony (IC 35-43-2-1).
  - D. Child exploitation as a Level 5 felony under IC 35-42-4-4(b) or a Level 4 felony under IC 35-42-4-4(c).
  - E. Child molesting (IC 35-42-4-3).
  - F. Criminal deviate conduct (IC 35-42-4-2) (before its repeal).
  - G. Involuntary manslaughter (IC 35-42-1-4).
  - H. Kidnapping (IC 35-42-3-2).
  - I. Murder (IC 35-42-1-1).
  - J. Operating a vehicle while intoxicated causing death (IC 9-30-5-5).
  - K. Operating a vehicle while intoxicated causing serious bodily injury to another person (IC 9-30-5-4).
  - L. Rape (IC 35-42-4-1).
  - M. Reckless homicide (IC 35-42-1-5).
  - N. Resisting law enforcement as a felony (IC 35-44.1-3-1).
  - O. Robbery as a Level 2 felony or a Level 3 felony (IC 35-42-5-1).
  - P. Sexual misconduct with a minor as a Level 1 felony under IC 35-42-4-9(a)(2) or a Level 2 felony under IC 35-42-4-9(b)(2).
  - Q. Unlawful possession of a firearm by a serious violent felon (IC 35-47-4-5).
  - R. Voluntary manslaughter (IC 35-42-1-3).
3. Agricultural terrorism (IC 35-47-12-2).
  4. Armor-piercing ammunition; offense; exception (IC 35-47-5-11.5).
  5. Arson (IC 35-43-1-1).
  6. Assisting suicide (IC 35-42-1-2.5).
  7. Attempt under IC 35-41-5-1 to commit an offense listed in this section.
  8. Attempting to purchase handgun by ineligible person (IC 35-47-2.5-15) (before its repeal).
  9. Auto theft (IC 35-43-4-2.5) (before its repeal).
  10. Battery (IC 35-42-2-1).
  11. Burglary (IC 35-43-2-1).
  12. Carjacking (IC 35-42-5-2) (before its repeal).
  13. Carrying a handgun without being licensed; exceptions; person convicted of domestic battery (IC 35-47-2-1).
  14. Causing suicide (IC 35-42-1-2).
  15. Check deception (IC 35-43-5-5).
  16. Check fraud (IC 35-43-5-12).
  17. Child exploitation; possession of child pornography; exemptions; defenses (IC 35-42-4-4).
  18. Child sexual trafficking (IC 35-42-3.5-1.3).
  19. Child solicitation (IC 35-42-4-6).
  20. "Chinese throwing star" defined; related offenses (IC 35-47-5-12).
  21. Conspiracy under IC 35-41-5-2 to commit an offense listed in this section.
  22. Consumer product tampering; offenses (IC 35-45-8-3).
  23. Corrupt business influence (IC 35-45-6-2).
  24. Counterfeiting; false or fraudulent sales receipts; forgery; application fraud (35-43-5-2).
  25. Criminal confinement (IC 35-42-3-3).
  26. Criminal organization recruitment (IC 35-45-9-5).
  27. Criminal parole violation by a sexual predator (IC 35-44.1-3-9).
  28. Criminal recklessness; element of hazing; liability barred for good faith report or judicial participation (IC 35-42-2-2).
  29. Criminal stalking (IC 35-45-10-5).
  30. Criminal transfer of a firearm (IC 35-47-2.5-16).
  31. Criminal use or possession of code grabbing device (IC 35-45-12-2).
  32. Dangerous control of a firearm (IC 35-47-10-6).
  33. Dangerous possession and unlawful transfer of a firearm (IC 35-47-10-5).
  34. Dealing in a controlled substance by a practitioner (IC 35-48-4-1.5).

35. Dealing in a controlled substance resulting in death (IC 35-42-1-1.5).
36. Dealing in a counterfeit substance (IC 35-48-4-5).
37. Dealing in a schedule I, II, or III controlled substance (IC 35-48-4-2).
38. Dealing in a schedule IV controlled substance (IC 35-48-4-3).
39. Dealing in a schedule V controlled substance (IC 35-48-4-4).
40. Dealing in a substance represented to be a controlled substance (IC 35-48-4-4.5).
41. Dealing in a synthetic drug or synthetic drug lookalike substance (IC 35-48-4-10.5).
42. Dealing in cocaine or narcotic drug (IC 35-48-4-1).
43. Dealing in marijuana, hash oil, hashish, or salvia (IC 35-48-4-10).
44. Dealing in methamphetamine (IC 35-48-4-1.1).
45. Deception (IC 35-43-5-3).
46. Delivery of deadly weapon to intoxicated person (IC 35-47-4-1).
47. Deploying a booby trap (IC 35-47.5-5-10).
48. Destructive device or explosive to kill, injure, or intimidate or to destroy property (IC 35-47.5-5-8).
49. Destructive devices (IC 35-47.5-5-2).
50. Disarming a law enforcement officer (IC 35-44.1-3-2).
51. Disrupting operation of aircraft (IC 35-47-6-1.6).
52. Dissemination of matter or conducting performance harmful to minors (IC 35-49-3-3).
53. Distribution of destructive device, explosive or detonator to a minor (IC 35-47.5-5-5).
54. Distribution of regulated explosives to persons convicted of felony (IC 35-47.5-5-4).
55. Domestic battery (IC 35-42-2-1.3).
56. Dumping controlled substance waste (IC 35-48-4-4.1).
57. Duties of driver of motor vehicle involved in accident; sentencing (IC 9-26-1-1.1).
58. Escape (IC 35-44.1-3-4).
59. Evasion of tax; offenses; prosecution (IC 6-3-6-11).
60. Failure of carriers of dangerous communicable diseases to warn persons at risk (IC 35-45-21-3).
61. Failure to make report (IC 31-33-22-1).
62. False government issued identification (IC 35-43-5-2.5).
63. False identity statement (IC 35-44.1-2-4).
64. False reporting; false informing (IC 35-44.1-2-3).
65. False reports; criminal and civil liability; notification of prosecuting attorney (IC 31-33-22-3).
66. Feticide (35-42-1-6).
67. Firearm, explosive, or deadly weapon; possession in commercial or chartered aircraft (IC 35-47-6-1).
68. Firearm, explosive, or deadly weapon; possession in controlled access areas of an airport (IC 35-47-6-1.3).
69. Firearms and handguns; giving false information or offering false evidence of identity (IC 35-47-2-17).
70. Fraud (IC 35-43-5-4).
71. Fraud on financial institutions (IC 35-43-5-8).
72. Harassment; "obscene message" defined (IC 35-45-2-2).
73. Hindering or obstructing detection, disarming, or destruction of destructive device (IC 35-47.5-5-7).
74. Hoax devices or replicas (IC 35-47.5-5-6).
75. Homicide (IC 35-42-1).
76. Human organ trafficking (IC 35-46-5-1).
77. Human trafficking (IC 35-42-3.5-1.4).
78. Identity deception (IC 35-43-5-3.5).
79. Inappropriate communication with a child (IC 35-42-4-13).
80. Inmate fraud (IC 35-43-5-20).
81. Insurance fraud; insurance application fraud (IC 35-43-5-4.5).
82. Insurance fraud (IC 35-43-5-7.2).

83. Intentional signing of false document (IC 23-0.5-2-9).
84. Interference with custody (IC 35-42-3-4).
85. Interfering with drug or alcohol screening test (IC 35-43-5-19).
86. Intimidation (IC 35-45-2-1).
87. Knife with a detachable blade (IC 35-47-5-2).
88. Legend drug deception; penalty (IC 35-43-10-3).
89. Machine gun (IC 35-47-5-8).
90. Malicious mischief (IC 35-45-16-2).
91. Manufacturing methamphetamine (IC 35-48-4-1.2).
92. Medicaid fraud (IC 35-43-5-7.1).
93. Money laundering; defenses (IC 35-45-15-5).
94. Neglect of a dependent; child selling (IC 35-46-1-4).
95. Notario publico deception (IC 35-43-5-3.7).
96. Notary fraud; notarial fraud (IC 35-43-5-23).
97. Obscene performance (IC 35-49-3-2).
98. Obstruction of delivery of prescription drug (IC 35-45-21-5).
99. Obtaining child abuse information under false pretenses; knowingly falsifying records or interfering with an investigation (IC 31-33-22-2).
100. Offenses concerning Social Security numbers (IC 35-44.2-4-2).
101. Offenses relating to registration labeling and prescription forms (IC 35-48-4-14).
102. Operating loaded machine gun (IC 35-47-5-9).
103. Participation in criminal organization; offense (IC 35-45-9-3).
104. Perjury (IC 35-44.1-2-1).
105. Permitting child to possess a firearm (IC 35-47-10-7).
106. Pointing firearm at another person (IC 35-47-4-3).
107. Possession of a controlled substance; obtaining a schedule V controlled substance (IC 35-48-4-7).
108. Possession of a dangerous device while incarcerated (IC 35-44.1-3-7).
109. Possession of a fraudulent sales document manufacturing device (IC 35-43-5-15).
110. Possession of a knife on school property (IC 35-47-5-2.5).
111. Possession of cocaine or narcotic drug (IC 35-48-4-6).
112. Possession of device or substance used to interfere with drug or alcohol screening test (IC 35-43-5-18).
113. Possession of electronic gaming device; maintaining a professional gambling site; exception for antique slot machines possessed for decorative, historic, or nostalgic purposes (IC 35-45-5-3.5).
114. Possession of firearms on school property or a school bus; possession of firearms in a motor vehicle parked in a school parking lot (IC 35-47-9-2).
115. Possession of methamphetamine (IC 35-48-4-6.1).
116. Prohibited sales or transfers of ownership (IC 35-47-2-7).
117. Promoting prostitution (IC 35-45-4-4).
118. Promotion of child sexual trafficking; promotion of sexual trafficking of a younger child (IC 35-42-3.5-1.2).
119. Promotion of human labor trafficking (IC 35-42-3.5-1).
120. Promotion of human sexual trafficking (IC 35-42-3.5-1.1).
121. Public intoxication prohibited; failure to enforce by a law enforcement officer (IC 7.1-5-1-3).
122. "Qualified egg bank"; unlawful transfer of human organisms; exceptions; penalties (IC 35-46-5-3).
123. Refusal to aid an officer (IC 35-44.1-3-3).
124. Registration violations; penalty (IC 11-8-8-17).
125. Regulated explosives; persons convicted of felonies; prior unrelated convictions (IC 35-47.5-5-3).
126. Remote aerial harassment (IC 35-45-10-6).
127. Resisting law enforcement (IC 35-44.1-3-1).

128. Robbery (IC 35-42-5-2).
129. Sale, distribution, or exhibition of obscene matter (IC 35-49-3-1).
130. Sale or distribution of HIV testing equipment (IC 35-45-21-2).
131. Sex offender Internet offense (IC 35-42-4-12).
132. Sex offender registry restrictions (IC 35-42-4-11).
133. Sex offender unmanned aerial vehicle offense (IC 35-42-4-12.5).
134. Sexual battery (IC 35-42-4-8).
135. Sexual misconduct with a service provider (IC 35-44.1-3-10).
136. Sexually violent predator; duty to notify (IC 11-8-8-18).
137. Stolen valor fraud (IC 35-43-5-22).
138. Strangulation (IC 35-42-2-9).
139. Synthetic drug or synthetic drug lookalike substance (IC 35-48-4-11.5).
140. Synthetic identity deception (IC 35-43-5-3.8).
141. "Synthetic urine" (IC 35-43-5-19.5).
142. Terrorism (IC 35-47-12-1).
143. Terroristic deception (IC 35-43-5-3.6).
144. Terroristic mischief (IC 35-47-12-3).
145. Theft (IC 35-43-4-2).
146. Threats; refusal to join or withdraw from organization; intimidation offense (IC 35-45-9-4).
147. Trafficking with an inmate; carrying a deadly weapon into a correctional facility (IC 35-44.1-3-5).
148. Trafficking with an inmate outside a facility (IC 35-44.1-3-6).
149. Transferring contaminated body fluids (IC 35-45-21-1).
150. Undisclosed transport of dangerous device (IC 35-47-6-1.1).
151. Unlawful employment near children (IC 35-42-2-10).
152. Unlawful entry of school property by a serious sex offender (IC 35-42-4-14).
153. Unlawful manufacture, distribution or possession of counterfeit substance (IC 35-48-4-4.6).
154. Unlawful photography and surveillance on private property (IC 35-46-8.5-1).
155. Unlawful possession of a card skimming device (IC 35-43-5-4.3).
156. Unlawful possession of a firearm by a domestic batterer (IC 35-47-4-6).
157. Unlawful possession of a firearm by a serious violent felon (IC 35-47-4-5).
158. Unlawful purchase of a handgun (IC 35-47-2.5-14) (before its repeal).
159. Unlawful sale or possession of a transaction manipulation device (IC 35-43-5-4.6).
160. Unlawful use of body armor (IC 35-47-5-13).
161. Use of overpressure device (IC 35-47.5-5-9).
162. Use of regulated explosive in violation of commission rule (IC 35-47.5-5-11).
163. Vicarious sexual gratification; sexual conduct in presence of minor (IC 35-42-4-5).
164. Violation of civil rights (IC 35-46-2-1).
  
165. Violation of IC 25-2.1-12 (unauthorized practice of accounting) under IC 25-2.1-13-3.
166. Violation of IC 25-2.5 (unauthorized practice of acupuncture) under IC 25-2.5-3-4.
167. Violation of IC 25-3.7 (unauthorized practice of an anesthesiologist assistant) under IC 25-3.7-2-2.
168. Violation of IC 25-5.1-4-1 (unauthorized practice of athletic trainer) under IC 25-5.1-4-2.
169. Violation of IC 25-6.1-7-1 (unauthorized practice of auctioneering) under IC 25-6.1-7-1.
170. Violation of IC 25-6.1-7-2 (violation of auctioneering statute) under IC 25-6.1-7-2.
171. Violation of IC 25-8-15.4 (unauthorized operation of a tanning facility) under IC 25-8-15.4-25.
172. Violation of IC 25-10-1 (unauthorized practice of chiropractic) under IC 25-10-1-11.
173. Violation of IC 25-11-1 (violation of the collection agency statute) under IC 25-11-1-12.
174. Violation of IC 25-13-1 (unauthorized practice of a dental hygienist) under IC 25-13-1-3.
175. Violation of IC 25-14-1 (unauthorized practice of dentistry) under IC 25-14-1-25.
176. Violation of IC 25-14-4 (unlawful referral services for a dentist) under IC 25-14-4-6.
177. Violation of IC 25-14.3 (violation of diabetes educator statute) under IC 25-14.3-5-1.

178. Violation of IC 25-14.5 (unauthorized practice of a dietitian) under IC 25-14.5-7-2.
179. Violation of IC 25-16-1 (violation of employment services statute) under IC 25-16-1-18.
180. Violation of IC 25-17.3-5 (violation of genetic counselors statute) under IC 25-17.3-5-3.
181. Violation of IC 25-17.6-8-2 (unauthorized practice of professional geologist) under IC 25-17.6-8-2.
182. Violation of IC 25-20-1 (unauthorized practice of hearing aid dealer) under IC 25-20-1-21.
183. Violation of IC 25-20.7-5-1 (unauthorized practice of interior designer) under IC 25-20.7-5-1.
184. Violation of IC 25-21.5-5-10 (making false statements in an application to become a surveyor) under IC 25-21.5-5-10.
185. Violation of IC 25-21.5-13-2 (unauthorized practice of surveying) under IC 25-21.5-13-2.
186. Violation of IC 25-21.8 (unauthorized practice of massage therapy) under IC 25-21.8-7-1.
187. Violation of IC 25-22.5 (unauthorized practice of medicine, midwifery, osteopathic medicine, or physician assistance) under IC 25-22.5-8-1 and 2.
188. Violation of IC 25-22.5 (violation of temporary medical permit statute) under IC 25-22.5-8-3.
189. Violation of IC 25-23-1 (unauthorized practice of nursing) under IC 25-23-1-27.
190. Violation of IC 25-23.5-3 (unauthorized practice of occupational therapy) under IC 25-23.5-3-2.
191. Violation of IC 25-23.6-3 (unauthorized practice of marriage and family therapy) under IC 25-23.6-3-3.
192. Violation of IC 25-23.6-4 (unauthorized practice of social work) under IC 25-23.6-4-4.
193. Violation of IC 25-2.6-4.5 (violation of mental health counselor statute) under IC 25-2.6-4.5-4.
194. Violation of IC 25-23.6-10.1 (unauthorized practice of addiction counselor or therapist) under IC 25-23.6-10.1-6.
195. Violation of IC 25-23.6-11-1 (unauthorized use of term psychotherapy or clinical psychology) under IC 25-23.6-11-1.
196. Violation of IC 25-23.6 (unauthorized use of license issued by behavioral health and human services board) under IC 25-23.6-11-2.
197. Violation of IC 25-23.6-11-3 (presenting false information to the behavioral health and human services board to obtain license) under IC 25-23.6-11-3.
198. Violation of IC 25-23.7-7-5 (unauthorized practice of home installing) under IC 25-23.7-7-5.
199. Violation of IC 25-23.4 (unauthorized practice of direct entry midwife) under IC 25-23.4-3-7.
200. Violation of IC 25-24-1 (unauthorized practice of optometry) under IC 25-24-1-18.
201. Violation of IC 25-26-13-29 (unauthorized practice of pharmacy or as a pharmacist) under IC 25-26-13-29.
202. Violation of any state drug law related to wholesale legend drug distribution (IC 25-26-14).
203. Violation of IC 25-26-19-9 (unauthorized practice of pharmacy technician) under IC 25-26-19-9.
204. Violation of IC 25-26-21 (unauthorized provision of home medical equipment provider services) under IC 25-26-21-11.
205. Violation of IC 25-27-1 (unauthorized practice of physical therapy) under IC 25-27-1-12.
206. Violation of IC 25-27.5-7 (unauthorized practice of physician assistant) under IC 25-27.5-7-2.
207. Violation of IC 25-28.5-1 (unauthorized practice of plumbing) under IC 25-28.5-1-31.
208. Violation of IC 25-29 (unauthorized practice of podiatry) under IC 25-29-9-1.
209. Violation of IC 25-30-1 (unauthorized practice of being a private investigator) under IC 25-30-1-21.
210. Violation of IC 25-30-1.3 (unauthorized operation of a security agency) under IC 25-30-1.3-23.

- 211. Violation of IC 25-31-1-13 (making a false statement in an application to become an engineer) under IC 25-31-1-13.
- 212. Violation of IC 25-31-1 (unauthorized practice of engineering) under IC 25-31-1-27.
- 213. Violation of IC 25-31.5-8-7 (unauthorized practice as a professional soil scientist) under IC 25-31.5-8-7.
- 214. Violation of IC 25-33-1-14 (unlawful use of title psychologist) under IC 25-33-1-15.
- 215. Violation of IC 25-34.5-3 (unauthorized practice of respiratory care) under IC 25-34.5-3-2.
- 216. Violation of IC 25-35.6 (unauthorized practice of speech-language pathology and audiology) under IC 25-35.6-3-10.
- 217. Violation of IC 25-36.1-2 (violation of certified surgical technologist statute) under IC 25-36.1-2-3.
- 218. Violation of IC 25-36.5-1-10 (unauthorized practice of timber buying or timber buying agent) under IC 25-36.5-1-10 and IC 25-36.5-1-15.
- 219. Violation of IC 25-38.1 (unauthorized practice of veterinary medicine) under IC 25-38.1-4-10.
- 220. Violation of IC 25-38.1 (unauthorized practice of veterinary technician) under IC 25-38.1-4-11.
- 221. Violation of IC 25-39-5 (unlawful drilling and well installation) under IC 25-39-5-1, 2, 3, 4, 5, 6 and 7.
- 222. Violation of IC 25-41-1-1 (unauthorized practice of behavior analyst) under IC 25-41-1-2.
- 223. Violation of Indiana Legend Drug Act (IC 16-42-19).
- 224. Violation of order by alleged perpetrator of child abuse or neglect (IC 31-34-2.3-8).
- 225. Violations (IC 35-43-9-7).
- 226. Voyeurism; public voyeurism; aerial voyeurism (IC 35-45-4-5).
- 227. Welfare fraud (IC 35-43-5-7).
- 228. Worker's compensation fraud (IC 35-43-5-21).

A motion was made and seconded to approve the following proposed emergency rule language:

V. Ross/G. O'Dell

5/0/0

Motion carried.

Voting in favor: Diana Weisheit, Victoria Ross, Diana Bonn, Gregory Kenny, and Gary Odell.

SECTION 1. This document implements IC 25-1-1.1-6 regarding disqualifying criminal history for licensure by the State Board of Cosmetology and Barber Examiners and includes in SECTION 4 of this document an explicit list of crimes that will disqualify an individual from receiving a license.

SECTION 2. An applicant for licensure who has a disqualifying criminal history may still be granted a license based on the criteria stated in IC 25-1-1.1-6(f).

SECTION 3. This document and IC 25-1-1.1-6 do not limit the authority of the board to issue a license on probation if appropriate under IC 25-1-11-19 or any other applicable statute.

SECTION 4. This SECTION contains the list of disqualifying crimes as follows:

1. Crimes involving sexual acts that can be considered without respect to age of conviction:
  - A. Child molesting (IC 35-42-4-3).
  - B. Child seduction (IC 35-42-4-7).
  - C. Criminal deviate conduct (IC 35-42-4-2) (before its repeal).
  - D. Incest (IC 35-46-1-3).
  - E. Making an unlawful proposition (IC 35-45-4-3).
  - F. Prostitution (IC 35-45-4-2).
  - G. Rape (IC 35-42-4-1).
  - H. Sexual misconduct with a minor (IC 35-42-4-9(a)).
2. Crimes of violence that can be considered without respect to age of conviction:

- I. Aggravated battery (IC 35-42-2-1.5).
  - J. Attempted murder (IC 35-41-5-1).
  - K. Burglary as a Level 1 felony, Level 2 felony, Level 3 felony, or Level 4 felony (IC 35-43-2-1).
  - L. Child exploitation as a Level 5 felony under IC 35-42-4-4(b) or a Level 4 felony under IC 35-42-4-4(c).
  - M. Child molesting (IC 35-42-4-3).
  - N. Criminal deviate conduct (IC 35-42-4-2) (before its repeal).
  - O. Involuntary manslaughter (IC 35-42-1-4).
  - P. Kidnapping (IC 35-42-3-2).
  - Q. Murder (IC 35-42-1-1).
  - R. Operating a vehicle while intoxicated causing death (IC 9-30-5-5).
  - S. Operating a vehicle while intoxicated causing serious bodily injury to another person (IC 9-30-5-4).
  - T. Rape (IC 35-42-4-1).
  - U. Reckless homicide (IC 35-42-1-5).
  - V. Resisting law enforcement as a felony (IC 35-44.1-3-1).
  - W. Robbery as a Level 2 felony or a Level 3 felony (IC 35-42-5-1).
  - X. Sexual misconduct with a minor as a Level 1 felony under IC 35-42-4-9(a)(2) or a Level 2 felony under IC 35-42-4-9(b)(2).
  - Y. Unlawful possession of a firearm by a serious violent felon (IC 35-47-4-5).
  - Z. Voluntary manslaughter (IC 35-42-1-3).
3. Agricultural terrorism (IC 35-47-12-2).
  4. Armor-piercing ammunition; offense; exception (IC 35-47-5-11.5).
  5. Arson (IC 35-43-1-1).
  6. Assisting suicide (IC 35-42-1-2.5).
  7. Attempt under IC 35-41-5-1 to commit an offense listed in this section.
  8. Attempting to purchase handgun by ineligible person (IC 35-47-2.5-15) (before its repeal).
  9. Auto theft (IC 35-43-4-2.5) (before its repeal).
  10. Battery (IC 35-42-2-1).
  11. Burglary (IC 35-43-2-1).
  12. Carjacking (IC 35-42-5-2) (before its repeal).
  13. Carrying a handgun without being licensed; exceptions; person convicted of domestic battery (IC 35-47-2-1).
  14. Causing suicide (IC 35-42-1-2).
  15. Check deception (IC 35-43-5-5).
  16. Check fraud (IC 35-43-5-12).
  17. Child exploitation; possession of child pornography; exemptions; defenses (IC 35-42-4-4).
  18. Child sexual trafficking (IC 35-42-3.5-1.3).
  19. Child solicitation (IC 35-42-4-6).
  20. "Chinese throwing star" defined; related offenses (IC 35-47-5-12).
  21. Conspiracy under IC 35-41-5-2 to commit an offense listed in this section.
  22. Consumer product tampering; offenses (IC 35-45-8-3).
  23. Corrupt business influence (IC 35-45-6-2).
  24. Counterfeiting; false or fraudulent sales receipts; forgery; application fraud (35-43-5-2).
  25. Criminal confinement (IC 35-42-3-3).
  26. Criminal organization recruitment (IC 35-45-9-5).
  27. Criminal parole violation by a sexual predator (IC 35-44.1-3-9).
  28. Criminal recklessness; element of hazing; liability barred for good faith report or judicial participation (IC 35-42-2-2).
  29. Criminal stalking (IC 35-45-10-5).
  30. Criminal transfer of a firearm (IC 35-47-2.5-16).
  31. Criminal use or possession of code grabbing device (IC 35-45-12-2).
  32. Dangerous control of a firearm (IC 35-47-10-6).

33. Dangerous possession and unlawful transfer of a firearm (IC 35-47-10-5).
34. Dealing in a controlled substance by a practitioner (IC 35-48-4-1.5).
35. Dealing in a controlled substance resulting in death (IC 35-42-1-1.5).
36. Dealing in a counterfeit substance (IC 35-48-4-5).
37. Dealing in a schedule I, II, or III controlled substance (IC 35-48-4-2).
38. Dealing in a schedule IV controlled substance (IC 35-48-4-3).
39. Dealing in a schedule V controlled substance (IC 35-48-4-4).
40. Dealing in a substance represented to be a controlled substance (IC 35-48-4-4.5).
41. Dealing in a synthetic drug or synthetic drug lookalike substance (IC 35-48-4-10.5).
42. Dealing in cocaine or narcotic drug (IC 35-48-4-1).
43. Dealing in marijuana, hash oil, hashish, or salvia (IC 35-48-4-10).
44. Dealing in methamphetamine (IC 35-48-4-1.1).
45. Deception (IC 35-43-5-3).
46. Delivery of deadly weapon to intoxicated person (IC 35-47-4-1).
47. Deploying a booby trap (IC 35-47.5-5-10).
48. Destructive device or explosive to kill, injure, or intimidate or to destroy property (IC 35-47.5-5-8).
49. Destructive devices (IC 35-47.5-5-2).
50. Disarming a law enforcement officer (IC 35-44.1-3-2).
51. Disrupting operation of aircraft (IC 35-47-6-1.6).
52. Dissemination of matter or conducting performance harmful to minors (IC 35-49-3-3).
53. Distribution of destructive device, explosive or detonator to a minor (IC 35-47.5-5-5).
54. Distribution of regulated explosives to persons convicted of felony (IC 35-47.5-5-4).
55. Domestic battery (IC 35-42-2-1.3).
56. Dumping controlled substance waste (IC 35-48-4-4.1).
57. Duties of driver of motor vehicle involved in accident; sentencing (IC 9-26-1-1.1).
58. Escape (IC 35-44.1-3-4).
59. Evasion of tax; offenses; prosecution (IC 6-3-6-11).
60. Failure of carriers of dangerous communicable diseases to warn persons at risk (IC 35-45-21-3).
61. Failure to make report (IC 31-33-22-1).
62. False government issued identification (IC 35-43-5-2.5).
63. False identity statement (IC 35-44.1-2-4).
64. False reporting; false informing (IC 35-44.1-2-3).
65. False reports; criminal and civil liability; notification of prosecuting attorney (IC 31-33-22-3).
66. Feticide (35-42-1-6).
67. Firearm, explosive, or deadly weapon; possession in commercial or chartered aircraft (IC 35-47-6-1).
68. Firearm, explosive, or deadly weapon; possession in controlled access areas of an airport (IC 35-47-6-1.3).
69. Firearms and handguns; giving false information or offering false evidence of identity (IC 35-47-2-17).
70. Fraud (IC 35-43-5-4).
71. Fraud on financial institutions (IC 35-43-5-8).
72. Harassment; "obscene message" defined (IC 35-45-2-2).
73. Hindering or obstructing detection, disarming, or destruction of destructive device (IC 35-47.5-5-7).
74. Hoax devices or replicas (IC 35-47.5-5-6).
75. Homicide (IC 35-42-1).
76. Human organ trafficking (IC 35-46-5-1).
77. Human trafficking (IC 35-42-3.5-1.4).
78. Identity deception (IC 35-43-5-3.5).
79. Inappropriate communication with a child (IC 35-42-4-13).
80. Inmate fraud (IC 35-43-5-20).

81. Insurance fraud; insurance application fraud (IC 35-43-5-4.5).
82. Insurance fraud (IC 35-43-5-7.2).
83. Intentional signing of false document (IC 23-0.5-2-9).
84. Interference with custody (IC 35-42-3-4).
85. Interfering with drug or alcohol screening test (IC 35-43-5-19).
86. Intimidation (IC 35-45-2-1).
87. Knife with a detachable blade (IC 35-47-5-2).
88. Legend drug deception; penalty (IC 35-43-10-3).
89. Machine gun (IC 35-47-5-8).
90. Malicious mischief (IC 35-45-16-2).
91. Manufacturing methamphetamine (IC 35-48-4-1.2).
92. Medicaid fraud (IC 35-43-5-7.1).
93. Money laundering; defenses (IC 35-45-15-5).
94. Neglect of a dependent; child selling (IC 35-46-1-4).
95. Notario publico deception (IC 35-43-5-3.7).
96. Notary fraud; notarial fraud (IC 35-43-5-23).
97. Obscene performance (IC 35-49-3-2).
98. Obstruction of delivery of prescription drug (IC 35-45-21-5).
99. Obtaining child abuse information under false pretenses; knowingly falsifying records or interfering with an investigation (IC 31-33-22-2).
100. Offenses concerning Social Security numbers (IC 35-44.2-4-2).
101. Offenses relating to registration labeling and prescription forms (IC 35-48-4-14).
102. Operating loaded machine gun (IC 35-47-5-9).
103. Participation in criminal organization; offense (IC 35-45-9-3).
104. Perjury (IC 35-44.1-2-1).
105. Permitting child to possess a firearm (IC 35-47-10-7).
106. Pointing firearm at another person (IC 35-47-4-3).
107. Possession of a controlled substance; obtaining a schedule V controlled substance (IC 35-48-4-7).
108. Possession of a dangerous device while incarcerated (IC 35-44.1-3-7).
109. Possession of a fraudulent sales document manufacturing device (IC 35-43-5-15).
110. Possession of a knife on school property (IC 35-47-5-2.5).
111. Possession of cocaine or narcotic drug (IC 35-48-4-6).
112. Possession of device or substance used to interfere with drug or alcohol screening test (IC 35-43-5-18).
113. Possession of electronic gaming device; maintaining a professional gambling site; exception for antique slot machines possessed for decorative, historic, or nostalgic purposes (IC 35-45-5-3.5).
114. Possession of firearms on school property or a school bus; possession of firearms in a motor vehicle parked in a school parking lot (IC 35-47-9-2).
115. Possession of methamphetamine (IC 35-48-4-6.1).
116. Prohibited sales or transfers of ownership (IC 35-47-2-7).
117. Promoting prostitution (IC 35-45-4-4).
118. Promotion of child sexual trafficking; promotion of sexual trafficking of a younger child (IC 35-42-3.5-1.2).
119. Promotion of human labor trafficking (IC 35-42-3.5-1).
120. Promotion of human sexual trafficking (IC 35-42-3.5-1.1).
121. Public intoxication prohibited; failure to enforce by a law enforcement officer (IC 7.1-5-1-3).
122. "Qualified egg bank"; unlawful transfer of human organisms; exceptions; penalties (IC 35-46-5-3).
123. Refusal to aid an officer (IC 35-44.1-3-3).
124. Registration violations; penalty (IC 11-8-8-17).
125. Regulated explosives; persons convicted of felonies; prior unrelated convictions (IC 35-47.5-5-3).

126. Remote aerial harassment (IC 35-45-10-6).
127. Resisting law enforcement (IC 35-44.1-3-1).
128. Robbery (IC 35-42-5-2).
129. Sale, distribution, or exhibition of obscene matter (IC 35-49-3-1).
130. Sale or distribution of HIV testing equipment (IC 35-45-21-2).
131. Sex offender Internet offense (IC 35-42-4-12).
132. Sex offender registry restrictions (IC 35-42-4-11).
133. Sex offender unmanned aerial vehicle offense (IC 35-42-4-12.5).
134. Sexual battery (IC 35-42-4-8).
135. Sexual misconduct with a service provider (IC 35-44.1-3-10).
136. Sexually violent predator; duty to notify (IC 11-8-8-18).
137. Stolen valor fraud (IC 35-43-5-22).
138. Strangulation (IC 35-42-2-9).
139. Synthetic drug or synthetic drug lookalike substance (IC 35-48-4-11.5).
140. Synthetic identity deception (IC 35-43-5-3.8).
141. "Synthetic urine" (IC 35-43-5-19.5).
142. Terrorism (IC 35-47-12-1).
143. Terroristic deception (IC 35-43-5-3.6).
144. Terroristic mischief (IC 35-47-12-3).
145. Theft (IC 35-43-4-2).
146. Threats; refusal to join or withdraw from organization; intimidation offense (IC 35-45-9-4).
147. Trafficking with an inmate; carrying a deadly weapon into a correctional facility (IC 35-44.1-3-5).
148. Trafficking with an inmate outside a facility (IC 35-44.1-3-6).
149. Transferring contaminated body fluids (IC 35-45-21-1).
150. Undisclosed transport of dangerous device (IC 35-47-6-1.1).
151. Unlawful employment near children (IC 35-42-2-10).
152. Unlawful entry of school property by a serious sex offender (IC 35-42-4-14).
153. Unlawful manufacture, distribution or possession of counterfeit substance (IC 35-48-4-4.6).
154. Unlawful photography and surveillance on private property (IC 35-46-8.5-1).
155. Unlawful possession of a card skimming device (IC 35-43-5-4.3).
156. Unlawful possession of a firearm by a domestic batterer (IC 35-47-4-6).
157. Unlawful possession of a firearm by a serious violent felon (IC 35-47-4-5).
158. Unlawful purchase of a handgun (IC 35-47-2.5-14) (before its repeal).
159. Unlawful sale or possession of a transaction manipulation device (IC 35-43-5-4.6).
160. Unlawful use of body armor (IC 35-47-5-13).
161. Use of overpressure device (IC 35-47.5-5-9).
162. Use of regulated explosive in violation of commission rule (IC 35-47.5-5-11).
163. Vicarious sexual gratification; sexual conduct in presence of minor (IC 35-42-4-5).
164. Violation of civil rights (IC 35-46-2-1).
  
165. Violation of IC 25-2.1-12 (unauthorized practice of accounting) under IC 25-2.1-13-3.
166. Violation of IC 25-2.5 (unauthorized practice of acupuncture) under IC 25-2.5-3-4.
167. Violation of IC 25-3.7 (unauthorized practice of an anesthesiologist assistant) under IC 25-3.7-2-2.
168. Violation of IC 25-5.1-4-1 (unauthorized practice of athletic trainer) under IC 25-5.1-4-2.
169. Violation of IC 25-6.1-7-1 (unauthorized practice of auctioneering) under IC 25-6.1-7-1.
170. Violation of IC 25-6.1-7-2 (violation of auctioneering statute) under IC 25-6.1-7-2.
171. Violation of IC 25-8-15.4 (unauthorized operation of a tanning facility) under IC 25-8-15.4-25.
172. Violation of IC 25-10-1 (unauthorized practice of chiropractic) under IC 25-10-1-11.
173. Violation of IC 25-11-1 (violation of the collection agency statute) under IC 25-11-1-12.
174. Violation of IC 25-13-1 (unauthorized practice of a dental hygienist) under IC 25-13-1-3.
175. Violation of IC 25-14-1 (unauthorized practice of dentistry) under IC 25-14-1-25.

176. Violation of IC 25-14-4 (unlawful referral services for a dentist) under IC 25-14-4-6.
177. Violation of IC 25-14.3 (violation of diabetes educator statute) under IC 25-14.3-5-1.
178. Violation of IC 25-14.5 (unauthorized practice of a dietitian) under IC 25-14.5-7-2.
179. Violation of IC 25-16-1 (violation of employment services statute) under IC 25-16-1-18.
180. Violation of IC 25-17.3-5 (violation of genetic counselors statute) under IC 25-17.3-5-3.
181. Violation of IC 25-17.6-8-2 (unauthorized practice of professional geologist) under IC 25-17.6-8-2.
182. Violation of IC 25-20-1 (unauthorized practice of hearing aid dealer) under IC 25-20-1-21.
183. Violation of IC 25-20.7-5-1 (unauthorized practice of interior designer) under IC 25-20.7-5-1.
184. Violation of IC 25-21.5-5-10 (making false statements in an application to become a surveyor) under IC 25-21.5-5-10.
185. Violation of IC 25-21.5-13-2 (unauthorized practice of surveying) under IC 25-21.5-13-2.
186. Violation of IC 25-21.8 (unauthorized practice of massage therapy) under IC 25-21.8-7-1.
187. Violation of IC 25-22.5 (unauthorized practice of medicine, midwifery, osteopathic medicine, or physician assistance) under IC 25-22.5-8-1 and 2.
188. Violation of IC 25-22.5 (violation of temporary medical permit statute) under IC 25-22.5-8-3.
189. Violation of IC 25-23-1 (unauthorized practice of nursing) under IC 25-23-1-27.
190. Violation of IC 25-23.5-3 (unauthorized practice of occupational therapy) under IC 25-23.5-3-2.
191. Violation of IC 25-23.6-3 (unauthorized practice of marriage and family therapy) under IC 25-23.6-3-3.
192. Violation of IC 25-23.6-4 (unauthorized practice of social work) under IC 25-23.6-4-4.
193. Violation of IC 25-2.6-4.5 (violation of mental health counselor statute) under IC 25-2.6-4.5-4.
194. Violation of IC 25-23.6-10.1 (unauthorized practice of addiction counselor or therapist) under IC 25-23.6-10.1-6.
195. Violation of IC 25-23.6-11-1 (unauthorized use of term psychotherapy or clinical psychology) under IC 25-23.6-11-1.
196. Violation of IC 25-23.6 (unauthorized use of license issued by behavioral health and human services board) under IC 25-23.6-11-2.
197. Violation of IC 25-23.6-11-3 (presenting false information to the behavioral health and human services board to obtain license) under IC 25-23.6-11-3.
198. Violation of IC 25-23.7-7-5 (unauthorized practice of home installing) under IC 25-23.7-7-5.
199. Violation of IC 25-23.4 (unauthorized practice of direct entry midwife) under IC 25-23.4-3-7.
200. Violation of IC 25-24-1 (unauthorized practice of optometry) under IC 25-24-1-18.
201. Violation of IC 25-26-13-29 (unauthorized practice of pharmacy or as a pharmacist) under IC 25-26-13-29.
202. Violation of any state drug law related to wholesale legend drug distribution (IC 25-26-14).
203. Violation of IC 25-26-19-9 (unauthorized practice of pharmacy technician) under IC 25-26-19-9.
204. Violation of IC 25-26-21 (unauthorized provision of home medical equipment provider services) under IC 25-26-21-11.
205. Violation of IC 25-27-1 (unauthorized practice of physical therapy) under IC 25-27-1-12.
206. Violation of IC 25-27.5-7 (unauthorized practice of physician assistant) under IC 25-27.5-7-2.
207. Violation of IC 25-28.5-1 (unauthorized practice of plumbing) under IC 25-28.5-1-31.
208. Violation of IC 25-29 (unauthorized practice of podiatry) under IC 25-29-9-1.
209. Violation of IC 25-30-1 (unauthorized practice of being a private investigator) under IC 25-30-1-21.

- 210. Violation of IC 25-30-1.3 (unauthorized operation of a security agency) under IC 25-30-1.3-23.
- 211. Violation of IC 25-31-1-13 (making a false statement in an application to become an engineer) under IC 25-31-1-13.
- 212. Violation of IC 25-31-1 (unauthorized practice of engineering) under IC 25-31-1-27.
- 213. Violation of IC 25-31.5-8-7 (unauthorized practice as a professional soil scientist) under IC 25-31.5-8-7.
- 214. Violation of IC 25-33-1-14 (unlawful use of title psychologist) under IC 25-33-1-15.
- 215. Violation of IC 25-34.5-3 (unauthorized practice of respiratory care) under IC 25-34.5-3-2.
- 216. Violation of IC 25-35.6 (unauthorized practice of speech-language pathology and audiology) under IC 25-35.6-3-10.
- 217. Violation of IC 25-36.1-2 (violation of certified surgical technologist statute) under IC 25-36.1-2-3.
- 218. Violation of IC 25-36.5-1-10 (unauthorized practice of timber buying or timber buying agent) under IC 25-36.5-1-10 and IC 25-36.5-1-15.
- 219. Violation of IC 25-38.1 (unauthorized practice of veterinary medicine) under IC 25-38.1-4-10.
- 220. Violation of IC 25-38.1 (unauthorized practice of veterinary technician) under IC 25-38.1-4-11.
- 221. Violation of IC 25-39-5 (unlawful drilling and well installation) under IC 25-39-5-1, 2, 3, 4, 5, 6 and 7.
- 222. Violation of IC 25-41-1-1 (unauthorized practice of behavior analyst) under IC 25-41-1-2.
- 223. Violation of Indiana Legend Drug Act (IC 16-42-19).
- 224. Violation of order by alleged perpetrator of child abuse or neglect (IC 31-34-2.3-8).
- 225. Violations (IC 35-43-9-7).
- 226. Voyeurism; public voyeurism; aerial voyeurism (IC 35-45-4-5).
- 227. Welfare fraud (IC 35-43-5-7).
- 228. Worker's compensation fraud (IC 35-43-5-21).

SECTION 5. A crime in any other jurisdiction for which the elements of the crime for which conviction was entered are substantially similar to the elements of a crime included on the list in SECTION 4 of this document shall also be a crime that will disqualify an individual from receiving a license and therefore included on the list.

SECTION 6. The fee for a petition under IC 25-1-1.1-6(h) for a determination as to whether the individual's misdemeanor or felony conviction will disqualify the individual from receiving a license or certification shall be twenty-five dollars (\$25).

SECTION 7. SECTIONS 1 through 6 of this document take effect November 1, 2018.

**F. Consideration of Notices of Proposed Dismissal**

- 1. Derek S. Granger, 2014SBCBE0011

A motion was made and seconded to Dismiss the matter.

V. Ross/G. O'Dell

5/0/0

Motion carried.

Voting in favor: Diana Weisheit, Victoria Ross, Diana Bonn, Gregory Kenny, and Gary Odell.

- 2. Stephanie Powers, 2016SBCBE0127

A motion was made and seconded to A motion was made and seconded to Dismiss the matter.

V. Ross/G. O'Dell

5/0/0

Motion carried.

Voting in favor: Diana Weisheit, Victoria Ross, Diana Bonn, Gregory Kenny, and Gary Odell.

## **G. Consideration of Petition for Review of Denied Barber License Application**

### 1. Nga K. Phan

A motion was made and seconded to deny the petition for review due to the untimely filing.

V. Ross/G. O'Dell

5/0/0

Motion carried.

Voting in favor: Diana Weisheit, Victoria Ross, Diana Bonn, Gregory Kenny, and Gary Odell.

## **H. Correspondence from Gerald Reyes, BC21800927, 2018SBCBE0067**

Mr. Reyes was present and he was notified that the time period for objection to the Administrative Law Judge's Order and the Final Order had expired and the Board has no authority to change the Orders at this time.

## **V. COMMITTEE REPORTS**

### **A. Application Committee**

A motion was made and seconded to accept the following report that includes approval on probation of Vocational College of the Arts, LLC beauty culture school application with the indication that the inspection indicates the school is not equipped to offer the manicurist and the esthetician course.

D. Bonn/V. Ross

4/0/0

Motion carried.

Voting in favor: Diana Weisheit, Victoria Ross, Diana Bonn, and Gary Odell. G. Kenny abstained and was not in attendance for the discussion and vote because he is related to the owner of Vocational College of the Arts, LLC

## **COSMETOLOGY**

### **A. By Examination**

- Koberstein, Kristi – Positive response – approved on probation
- Arauz, Cynthia M – Positive response – approved on probation
- Haggins, Monique L – Positive response – tabled
- Graves, Renee – Positive response – tabled
- Zamora, Crystal – Positive response – approved on probation
- Parker, Amber N – Positive response – approved
- Miller, Emily N – Positive response – approved
- Pratt, Tiffany M – Positive response – approved
- Woods, Dylan M – Positive response – approved
- King, Ronald – Positive response – approved on probation
- Green, Victoria S – Positive response – approved
- Carter, Makayla D – Positive response – tabled
- Agee, Monica A – Positive response – approved

## **B. Reciprocity**

- Mielzarek, Maggie M – Positive response – approved on probation
- Douglas, Amy L – Positive response – approved
- Torres, Siohban – Positive response – approved
- Sonnennerg, Dawn – Positive response- tabled
- Bryant, Crystal R – Positive response – approved on probation
- Pfeider, Eric R. – Positive response – approved on probation
- Hepler, Alexis – pos. response – denied

## **C. By Provisional**

- Nguyen, Han Thi N – denied
- Nguyen, Ba T – denied
- Ngo, Thi Thu Trang – denied
- Tran, Thanh T. – approved

## **ESTHETICIAN**

### **A. By Examination**

- Glover, Brandi – Has Cosmo license on probation – approved on probation
- Brackin, Elizabeth M – Positive response – approved
- Barker, Aubree P – Positive response – approved
- Deckard, Rachel L – Positive response – approved

## **MANICURIST**

### **A. By Examination**

- Hernandez, Brittney M – denied
- Ha, Hiep – Previously denied – denied
- Anderson, Ashley R – Positive response- approved on probation

### **B. By Reciprocity**

- Truong, Tony D – denied
- Nguyen, My T – denied
- Doan, Khuong – denied
- Tran, Kim Thu T – approved
- Tran, Chuan V – approved
- Tran, Dung N
- Le, Thi Kim Anh – denied
- Scheeter, Brooke – denied
- Le, Thi Kim A – denied
- Pham, Alexz P – Positive response – approved
- La, Thanh P – denied
- Pham, Tien T – Previously denied – denied
- Bingham, Julie A – approved
- Nguyen, Diem T N – denied
- Barnes, Dana J – Positive response – tabled
- Le, Yen Huang – denied
- Luc, Anh Tuyet – denied

### **C. By Provisional**

- Nguyen, Trung T – denied
- De La Cruz De Fabian, Yaritza A – denied
- Lu, Man Yee – denied
- Li, Ronglu – denied
- Nguyen, Huy S. – denied

### **BARBER**

#### **A. By Examination**

- Westmoreland, Shawn M – Positive response – tabled
- Weiland, Bryan – Positive response – approved on probation
- Stansbury, Dominic – Positive response – approved on probation
- Royer, Kaleb L – Positive response – approved
- Hampton, Brian L – Positive response – approved on probation

#### **B. By Reciprocity**

- Tran, Vinh Chi – approved

#### **C. By Provisional**

- Hussein, Ashraf S. – denied

### **INSTRUCTOR**

#### **A. By Reciprocity**

- Mastne, Brandon W – approved

#### **B. By Exam**

- Searcy, Victoria R – positive response – approved

### **Beauty Culture Salon**

- Kelly's Nails – Failed Inspection – denied
- Pedi Spa & Nails – Previous Discipline – approved
- Gregory & Co. Salon – Previous Failed Inspection for another salon – approved
- White Sands Salon – Failed inspection + Previous discipline – denied
- Blondies – Previous Failed Inspection – tabled
- Salon Lofts – Positive Response – denied
- Pretty Nails Salon – Failed Inspection – tabled
- C+ K Nails – Previous Failed Inspection – denied
- Haute Wax Beauty Bar – Positive Response – approved

### **Beauty Culture School**

- Vocational College of the Arts, LLC – Discipline on other license – approved on probation

### **ADJOURNMENT**

The meeting adjourned at 6:51 pm.